

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

DIANE KENNEDY                     )  
    Plaintiff                        )  
                                      )  
V.                                    )  
                                      )  
CLINIQUE SERVICES LLC)        )  
    Defendant                     )

CASE NO.: 1:09-CV-413JD

          O R D E R          

Upon review of plaintiff's Assented to Motion for Approval of Third Party Settlement, the Court herewith Grants said Motion and further Orders that upon approval of Lump Sum Settlement Agreement by the NH Department of Labor, the plaintiff's recovery and the provision of payment to the employer for its statutory lien and holiday shall be as follows:

- A.     \$88,166.67 to Diane Kennedy
- B.     \$56,833.33 to Boynton Waldron Doleac Woodman & Scott, P.A.
- C.     Reduction of Macy's current gross lien of \$127,174.49 to \$0 and a 100% net holiday awarded to Macy's against future payments due or claimed to be due to Diane Kennedy under RSA 281-A in the net amount of \$170,000.00.
- D.     The parties recognize and agree that while Ms. Kennedy is giving a full Release, including a Release of all future claims, that the settlement was reached based upon compromise of past medical bills of \$95,310.33 and lost wages through the time of trial equaling \$93,251.88, all compromised based on other issues in the case and that the settlement of this case did not include consideration of future medical costs and expenses for Ms. Kennedy.

SO ORDERED.

Dated: October 12, 2011

/s/ Joseph A. DiClerico, Jr.

Justice, United States Federal Court